

REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action.

Claims 1 and 4 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for inclusion of the limitation “flush” in claim 1. To expedite the prosecution of the present application, this language has been canceled from claim 1 by amendment herein, and replaced with the language suggested by the Examiner. However, by canceling this language Applicants are not acceding to merits of the rejection.

Claims 1, 4, 9 and 10 were rejected under 35 U.S.C. 103(a) as being anticipated by JP4-13285 in view of U.S. Patent No. 6,971,351 to Kinugawa. For the following reasons, it respectfully submitted that Kinugawa is not prior to the present application for purposes of 35 U.S.C. 102.

Kinugawa is not prior art to the present application under 35 U.S.C. 102(b), since its publication date, December 6, 2005 is not more than a year prior to the international filing date of the present application, September 30, 2004. The earliest effective date of Kinugawa et al. is its filing date of February 20, 2004, under 35 U.S.C. 102(e). The present application claims priority of Japanese Patent Application 2003-345406, filed on October 3, 2003. In order to perfect this claim for priority, a verified translation of the certified priority document is enclosed herewith. Since the priority date of the present application is prior to the effective date of Kinugawa, the reference is disqualified as prior art against the present application. Accordingly, Applicants respectfully request withdrawal of the rejection.

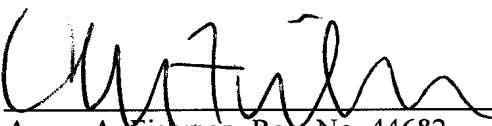
Appl. No. 10/536,594
Response Dated October 19, 2009
Reply to Office action of July 30, 2009

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No.: NGB-38313.

Respectfully submitted,

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